

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Service Director/945-797-1101
Prepared by: Larry A. Peters, P.E., Town Engineer

SUBJECT: Resolution
Quit Claim Deed/H & Katherine L Litsinberger/Town of Davie
Generally located along the west side of SW 145 Avenue, north of SW 24 Street.

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 15 FEET OF RIGHT-OF-WAY FROM KATHERINE L. LITSINBERGER; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

In order to provide for public roadway, rights of ways are required from this property owner. The East 15 feet of Tract 43, Section 15, Township 50 South, Range 40 East Florida Fruit Lands Company Subdivision No. 1 according to the plat thereof as recorded in Plat Book 2 at Page 17 of the Public Records of Broward County, Florida, as described in exhibit "A" is being transmitted to the Town of Davie via Quit Claim Deed. This resolution will provide the Town the necessary right of way required to install roadway and drainage improvements.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: The Town of Davie shall pay 2003 and 2004 tax assessments not to exceed \$600. These funds will be funded from the Town Administrator's Special Projects account, 001-0102-512-0502.

RECOMMENDATION(S):

Staff finds the item complete and suitable for transmittal to Town Council for further consideration

Attachment(s): Resolution, Legal Description and Sketch, Quit Claim Deed, Continuous Marriage Affidavit

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 15 FEET OF RIGHT-OF-WAY FROM KATHERINE L. LITSINBERGER; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Quit-Claim Deed has been submitted to the Town donating fifteen feet right of way; and

WHEREAS, the Town of Davie wishes to acquire this fifteen feet for right-of-way by accepting a Quit Claim Deed.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby authorize the Mayor and Town Administrator to accept a Quit Claim Deed, a copy of which is attached hereto as Exhibit "A".

SECTION 2. The Town of Davie shall pay 2003 and 2004 tax assessments not to exceed \$600.

SECTION 3. The Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004.



STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS
LB. 6633

4341 S.W. 62nd Avenue
Davie, Florida 33314

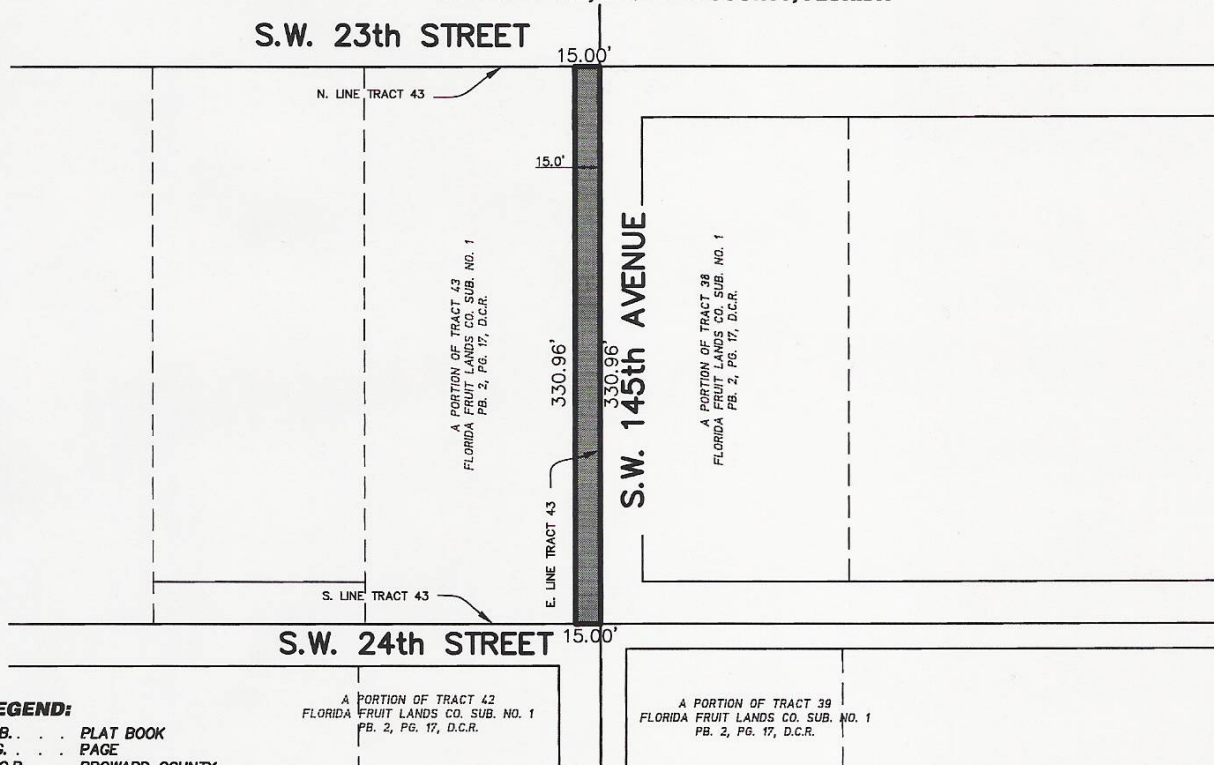
Tel. (954) 585-0997

Fax (954) 585-3927

RECORDING AREA

SKETCH & DESCRIPTION OF:
PORTION OF TRACT 43
FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1
PLAT BOOK 2, PAGE 17, D.C.R.
TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

S.W. 23th STREET



LEGEND:

P.B. . . . PLAT BOOK
PG. . . . PAGE
B.C.R. . . . BROWARD COUNTY
RECORDS
R/W. . . . RIGHT OF WAY
L.B. . . . LICENSED BUSINESS
D.C.R. . . . MIAMI-DADE COUNTY
RECORDS

LEGAL DESCRIPTION:

THE EAST 15 FEET OF TRACT 43, SECTION 15,
TOWNSHIP 50 SOUTH, RANGE 40 EAST FLORIDA
FRUIT LANDS COMPANY SUBDIVISION NO. 1
ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 2 AT PAGE 17 OF
THE PUBLIC RECORDS OF MIAMI-DADE COUNTY,
FLORIDA.

SAID LANDS SITUATE IN THE TOWN OF DAVIE,
FLORIDA AND CONTAINING 0.11 ACRES (4,964.90
SQUARE FEET), MORE OR LESS.

NOTES:

1. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD.
2. THIS SKETCH IS "NOT VALID" WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. LOT, EASEMENT, AND RIGHT-OF-WAY LINES SHOWN HEREON ARE BASED ON PLAT OF RECORD AND ARE FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY. (THIS IS NOT A SURVEY).
5. THIS SKETCH OF DESCRIPTION WAS PREPARED BY THIS FIRM WITHOUT THE BENEFIT OF A TITLE SEARCH. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY STONER & ASSOCIATES, INC.



CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

| REVISIONS | DATE | BY |
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Richard G. Crawford Jr.

PROFESSIONAL SURVEYOR AND MAPPER NO. 5371 - STATE OF FLORIDA

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| DATE OF SKETCH: | DRAWN BY | CHECKED BY | FIELD BOOK |
| 10/08/04 | THK | RGC | N/A |

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SURVEYOR'S SEAL

SHEET 1 OF 1

04-6603
SKETCH
NO.

DATE: Oct 13, 2004 - 9:59am EST FILE: F:\draw\Town of davie\04-6603-sod\dwg\04-6603.dwg

This instrument was prepared by
and record and return to:

Property Appraiser's
Parcel ID No. 504015010197

Grantee S.S. No. 274-16-2096
Name Katherine Litsinberger

This Quit-Claim Deed dated this _____ day of _____, A.D. 2004,
by **KATHERINE L. LITSENBARGER**, whose post office address is 14425 SW 26 Street,
Davie, Fl 33325, first party, to **THE TOWN OF DAVIE, FLORIDA**, whose post office address
is 6591 Orange Drive, Davie, Florida, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth That the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Broward, State of Florida, to wit:

The East 15 feet of Tract 43, Section 15, Township 50 South, Range 40 East, Florida Fruit Lands Company Subdivision No. 1, according to the Plat thereof, recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida, as described in Exhibit "A".

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Steve Litsinberger

Witness

Steve Litsinberger

Print/Type Name

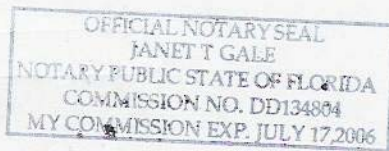
Katherine L. Litsinberger

Katherine L. Litsinberger

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 1 day of December, 2004, by **H. LITSINBERGER and KATHERINE L. LITSINBERGER**, who are personally known to me, or who produced FL Dr Lic # L325-572-18-546-P as identification, and who did not take an oath.



Janet T. Gale

Notary Public, State of Florida,
at Large.

JANET T GALE

Print, Type, or Stamp Name

My Commission Expires:

STATE OF NEVADA

CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HUMAN RESOURCES

DIVISION OF HEALTH
VITAL STATISTICSSTATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS
CERTIFICATE OF DEATH

000956

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| LOCAL FILE NUMBER | | | | STATE FILE NUMBER | | | |
|---|--|--|--|---|--|--|--|
| DECEASED—NAME | | | | DATE OF DEATH (Month, Day, Year) | | | |
| CITY, TOWN, OR LOCATION OF DEATH | | | | COUNTY OF DEATH | | | |
| 1. Harold LITSINBERGER | | | | 2. February 20, 1990 | | | |
| 3a. Las Vegas | | | | 3b. 2880 Las Vegas Blvd. South #1621 | | | |
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Prepared by and record
and return to:

CONTINUOUS MARRIAGE AFFIDAVIT

STATE OF FLORIDA:

COUNTY OF BROWARD:

BEFORE ME, a Notary Public, personally appeared **KATHERINE L. LITSENBERGER**, who, upon being first duly sworn according to law, deposes and says:

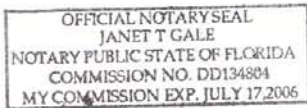
1. That your Affiant resides at 14425 SW 26th Street, Davie, Florida 33325.
2. That your Affiant is the surviving spouse of **HAROLD LITSENBERGER** Deceased, who died on February 20, 1990.
3. That your Affiant and the decedent, **HAROLD LITSENBERGER**, acquired the following described real property by way of a Warranty Deed, to wit:

The East 15 feet of Tract 43, Section 15, Township 50 South, Range 40 East, Florida Fruit Lands Company Subdivision No. 1, according to the Plat thereof, recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida as described in Exhibit "A". Said lands being situate in Broward County, Florida.
4. That your Affiant and said decedent were married prior to taking title to the subject property and remained continuously married, one to the other, without the intervention of any divorce proceedings, from that date until the date of the death of said decedent.

FURTHER AFFIANT SAYETH NAUGHT.

Katherine Litsenberger
KATHERINE L. LITSENBERGER

The foregoing instrument was acknowledged before me this 2 day of December, 2004, by **KATHERINE L. LITSENBERGER**, who ✓ is personally known to me, or who produced n/a as identification, and who did take an oath.



Janet T. Gale
Notary Public, State of Florida, at Large

Janet T. Gale
Print, Type, or Stamp Name

My Commission Expires: